



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON DC 20370-5100

LCC:ddj  
Docket No: 6936-99  
7 March 2000

[REDACTED]

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 7 March 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by CMC memorandum 4050.1B LFT-3-WC of 1 February 1999, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER  
Executive Director

Enclosure



DEPARTMENT OF THE NAVY  
HEADQUARTERS UNITED STATES MARINE CORPS  
2 NAVY ANNEX  
WASHINGTON, DC 20380-1775

IN REPLY REFER TO:

FEB 1 1999

4050.1B  
LFT-3-WC

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION  
OF NAVAL RECORDS

Subj: PETITION SERGEANT [REDACTED]  
USMC

Ref: (a) Joint Federal Travel Regulations

1. [REDACTED] elected to move his personal property via the Do-It-Yourself (DITY) program. Traffic Management personnel counseled him on 16 June 1999 on his entitlement, and the counseling session was annotated on a DD Form 2278 (Application For Do It Yourself Move And Counseling Checklist). Sergeant Blackford was also required to complete an inventory of his property to establish an estimated weight.

2. Based on a list of personal property, provided by [REDACTED] his estimated weight was 9900 pounds. His authorized weight allowance, determined by his rank and dependency status, is 7000 pounds. Traffic Management office personnel counseled Sergeant Blackford that the figures annotated on the DD Form 2278 were estimated and that his incentive for payment was based on weight tickets, which would provide the actual weight of his personal property.

[REDACTED] elected to take an advance payment for his move, based on his estimated weight that he would be moving to Montana. He moved only 2,240 pounds of personal property; therefore the Marine was overpaid for this move. On the DD Form 2278, block 9e, the Marine voluntarily agreed to the collection of any unearned advance operating allowance from his pay. In block 10a of the DD Form 2278, by virtue of his signature, Sergeant Blackford certified that he read and understood his responsibilities and conditions printed on the DD Form 2278.

4. Traffic Management personnel at Camp Lejeune, North Carolina properly counseled [REDACTED]. He was counseled that the weight and cost computation used to determine his advance operating allowance were estimates

only and that his final payment would be determined using actual weight, once his property was weighed on certified scales.

5. This Headquarters has determined that the Pay Adjustment Authorization is correct as issued, and we are unable to recommend a favorable determination of this case.

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**By direction**